

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

WILLIAM APODACA-FISK,

Plaintiff,

v.

GREG ALLEN, in his official capacity as Chief of the El Paso Police Department, **and JOHN DOE**, an El Paso Police Department Officer in his individual capacity,

Defendants.

Cause No.: EP-19-CV-00259-DCG

JOINT RESPONSE TO ORDER TO SHOW CAUSE

Plaintiff William Apodaca-Fisk and Defendant Greg Allen and John Doe Police Officer responds to the order of the court dated March 30, 2020, directing the parties to show cause why they have failed to file an ADR report in accordance with Local Rule CV-88(b) and by way of response to the order would show:

1. On January 28th 2020, the parties conferred telephonically for a rule 26 conference and discussed ADR and settlement options. The parties agreed that mediation was appropriate and mistakenly believed that this report was sufficient for compliance with Rule CV-88(b) but after review, agree with the court that the rule 26 conference report was insufficient to comply with the terms of the local rule. The Parties engaged in another telephonic conference on March 30th, 2020. The Parties request that the court excuse their mistake and would submit the following ADR report to the court for its consideration.

ADR REPORT

2. The parties agreed back on January 28th, 2020, that ADR would be appropriate for this case, and still agree that it is. Specifically, Mediation would be appropriate.

3. The parties have not engaged in settlement negotiations at this time, but remain open to discuss them in the future.
4. The parties to this case with authority to negotiate are Evan Reed for the Defendants, and Millie Thompson for the Plaintiff.
5. The Parties have mutually agreed that either Jim Curtis or Mitch Moss would be acceptable mediators pending their availability.
6. The Parties agree that they will submit any other information that this court deems necessary in relation to either ADR or Settlement efforts.

PRAYER

Wherefore, Plaintiff and Defendant both pray that this order be discharged.

Respectfully Submitted,



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